IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 16TH AUGUST 2006 / 25TH SRAVANA 1928

Bail Appl..No. 4552 of 2006

CRMP.2299/2006 of DISTRICT COURT, PALAKKAD
O.R.NO.29/2006 OF MUKKALI FOREST STATION

.....

PETITIONERS/ACCUSED

---

1. RUGMANI, W/O.VELLINGIRI,
   AGED 33 YEARS, AGALIMELE OORU, AGALI VILLAGE,
   MANNARKKAD TALUK.

2. MYLATHA, W/O.KUPPUSWAMY,
   AGED 37 YEARS, BHOOTHI VAZHI, AGALI.

BY ADV. SRI.RAJESH NAMBIAR

RESPONDENTS: STATE

THE STATE OF KERALA, REPRESENTED
BY DEPUTY RANGER, MUKKALI FOREST STATION,
THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA, ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4552/2006

DATED THIS THE 16TH DAY OF AUGUST, 2006

O R D E R

The petitioners are two women, who were found carrying 1.3 kgs of ganja, by the first petitioner, first accused, and 1.150 Kgs of ganja, by the second petitioner, second accused, in O.R.No.29/2006 of Mukkali Forest Station, under Section 8(c) and 20(b) of the Narcotic Drugs and Psychotropic Substances (NDPS) Act, in short 'the Act'. The petitioners are in judicial custody from 30.5.2006, the date of the arrest, and the contraband had been seized. Hence this application under Section 439 Cr.P.C.

2. The petitioners are the carriers , submitted the prosecution. The prosecution also further submitted that the actual persons, who were behind these women, had not so far been traced.

3. Considering the facts that are involved in this case, and also on perusal of the C.D file, I am of the

opinion that the bail could be granted to these women, however with the following conditions:-

(a). Each petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each fore the like sum, to the satisfaction of the Judicial Magistrate of First Class, Mannarkkad.

(b). The petitioners shall not leave the Mannarkkad Forest Division until the trial and disposal of the case under the NDPS Act.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs